

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 456,
2 Page 1, in the Title, Line 3, by deleting the words "ownership of"; and
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4 Further amend said bill and page, Section A, Line 3, by inserting immediately after said line the
5 following:
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7 "301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and
8 sections 307.010 to 307.175, the following terms mean:

9 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
10 off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand
11 five hundred pounds or less, traveling on three, four or more nonhighway tires;

12 (2) "Automobile transporter", any vehicle combination designed and used specifically for the
13 transport of assembled motor vehicles;

14 (3) "Axle load", the total load transmitted to the road by all wheels whose centers are
15 included between two parallel transverse vertical planes forty inches apart, extending across the full
16 width of the vehicle;

17 (4) "Boat transporter", any vehicle combination designed and used specifically to transport
18 assembled boats and boat hulls;

19 (5) "Body shop", a business that repairs physical damage on motor vehicles that are not
20 owned by the shop or its officers or employees by mending, straightening, replacing body parts, or
21 painting;

22 (6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
23 passengers but not including shuttle buses;

24 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
25 freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

26 (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds
27 less than forty miles per hour from field to field or from field to market and return;

28 (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the
29 sale or exchange of new, used or reconstructed motor vehicles or trailers;

30 (10) "Director" or "director of revenue", the director of the department of revenue;

31 (11) "Driveaway operation":
32

33 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than a
34 dealer over any public highway, under its own power singly, or in a fixed combination of two or
35 more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

36 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the
commodity being transported, by a person engaged in the business of furnishing drivers and

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operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which:

(a) Is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap [, and shall not be titled or registered]; or

(b) Has been designated as junk or a substantially equivalent designation by this state or any other state;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the

1 transportation of property owned by any person who is the owner or operator of such vehicle to or
2 from a farm owned by such person or under the person's control by virtue of a landlord and tenant
3 lease; provided that any such property transported to any such farm is for use in the operation of such
4 farm;

5 (26) "Local log truck", a commercial motor vehicle which is registered pursuant to this
6 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
7 state, used to transport harvested forest products, operated solely at a forested site and in an area
8 extending not more than a one hundred-mile radius from such site, carries a load with dimensions not
9 in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the
10 national system of interstate and defense highways described in Title 23, Section 103(e) of the
11 United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have
12 more than four axles, and does not pull a trailer which has more than two axles. Harvesting
13 equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping,
14 skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck
15 may not exceed the limits required by law, however, if the truck does exceed such limits as
16 determined by the inspecting officer, then notwithstanding any other provisions of law to the
17 contrary, such truck shall be subject to the weight limits required by such sections as licensed for
18 eighty thousand pounds;

19 (27) "Local log truck tractor", a commercial motor vehicle which is registered under this
20 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
21 state, used to transport harvested forest products, operated solely at a forested site and in an area
22 extending not more than a one hundred-mile radius from such site, operates with a weight not
23 exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding
24 forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national
25 system of interstate and defense highways described in Title 23, Section 103(e) of the United States
26 Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not
27 have more than three axles and does not pull a trailer which has more than two axles. Violations of
28 axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180
29 to 304.220;

30 (28) "Local transit bus", a bus whose operations are confined wholly within a municipal
31 corporation, or wholly within a municipal corporation and a commercial zone, as defined in section
32 390.020, adjacent thereto, forming a part of a public transportation system within such municipal
33 corporation and such municipal corporation and adjacent commercial zone;

34 (29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used
35 exclusively to transport harvested forest products to and from forested sites which is registered
36 pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the
37 transportation of harvested forest products;

38 (30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and
39 front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or
40 by illustrations;

41 (31) "Manufacturer", any person, firm, corporation or association engaged in the business of
42 manufacturing or assembling motor vehicles, trailers or vessels for sale;

43 (32) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives
44 a new, rebuilt or used engine, and which used the number stamped on the original engine as the
45 vehicle identification number;

46 (33) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except
47 farm tractors;

48 (34) "Motor vehicle primarily for business use", any vehicle other than a recreational motor

1 vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve
2 thousand pounds:

3 (a) Offered for hire or lease; or

4 (b) The owner of which also owns ten or more such motor vehicles;

5 (35) "Motorcycle", a motor vehicle operated on two wheels;

6 (36) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
7 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
8 produces less than three gross brake horsepower, and is capable of propelling the device at a
9 maximum speed of not more than thirty miles per hour on level ground;

10 (37) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
11 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A
12 motortricycle shall not be included in the definition of all-terrain vehicle;

13 (38) "Municipality", any city, town or village, whether incorporated or not;

14 (39) "Nonresident", a resident of a state or country other than the state of Missouri;

15 (40) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
16 compliance with United States emissions or safety standards;

17 (41) "Operator", any person who operates or drives a motor vehicle;

18 (42) "Owner", any person, firm, corporation or association, who holds the legal title to a
19 vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
20 thereof with the right of purchase upon performance of the conditions stated in the agreement and
21 with an immediate right of possession vested in the conditional vendee or lessee, or in the event a
22 mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor
23 shall be deemed the owner for the purpose of this law;

24 (43) "Public garage", a place of business where motor vehicles are housed, stored, repaired,
25 reconstructed or repainted for persons other than the owners or operators of such place of business;

26 (44) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder,
27 but does not include certificated common or contract carriers of persons or property;

28 (45) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by
29 the addition or substitution of two or more new or used major component parts, excluding motor
30 vehicles made from all new parts, and new multistage manufactured vehicles;

31 (46) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially
32 modified so that it may be used and is used for the purposes of temporary housing quarters, including
33 therein sleeping and eating facilities which are either permanently attached to the motor vehicle or
34 attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any
35 motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could
36 otherwise be so registered;

37 (47) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
38 exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches
39 in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more
40 nonhighway tires and which may have access to ATV trails;

41 (48) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
42 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker
43 or towing service;

44 (49) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor
45 tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of
46 the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed
47 vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin
48 connection. When two vehicles are towed in this manner the combination is called a "double

saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(50) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(52) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(53) "Scrap processor", a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor

1 vehicles. The term specially constructed motor vehicle includes kit vehicles;

2 (57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is
3 located on a drop frame located behind and below the rearmost axle of the power unit;

4 (58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance
5 between the extremes of which is more than forty inches and not more than ninety-six inches apart;

6 (59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for
7 drawing other vehicles, but not for the carriage of any load when operating independently. When
8 attached to a semitrailer, it supports a part of the weight thereof;

9 (60) "Trailer", any vehicle without motive power designed for carrying property or
10 passengers on its own structure and for being drawn by a self-propelled vehicle, except those running
11 exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in
12 conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is
13 carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in
14 subdivision (8) of this section and shall not include manufactured homes as defined in section
15 700.010;

16 (61) "Truck", a motor vehicle designed, used, or maintained for the transportation of
17 property;

18 (62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing
19 units are connected with a B-train assembly which is a rigid frame extension attached to the rear
20 frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer
21 and has one less articulation point than the conventional A-dolly connected truck-tractor
22 semitrailer-trailer combination;

23 (63) "Truck-trailer boat transporter combination", a boat transporter combination consisting
24 of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle
25 located substantially at the trailer center of gravity rather than the rear of the trailer but so as to
26 maintain a downward force on the trailer tongue;

27 (64) "Used parts dealer", a business that buys and sells used motor vehicle parts or
28 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
29 "Business" does not include isolated sales at a swap meet of less than three days;

30 (65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
31 off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with
32 an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used
33 primarily for landscaping, lawn care, or maintenance purposes;

34 (66) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
35 firm, corporation, association, city, county or state agency, or any member thereof, for the
36 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and
37 from their place of employment; however, a vanpool shall not be included in the definition of the
38 term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall
39 a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a
40 vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute
41 an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a
42 ride-sharing arrangement;

43 (67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on
44 highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or
45 vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
46 operated by handicapped persons;

47 (68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and
48 used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road,

street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 9, Section 301.190, Line 167, by inserting immediately after said line the following:

"301.196. 1. Beginning January 1, 2006, except as otherwise provided in this section, the transferor of an interest in a motor vehicle or trailer listed on the face of a Missouri title, excluding salvage titles and junking certificates, shall notify the department of revenue of the transfer within thirty days of the date of transfer. The notice shall be in a form determined by the department by rule and shall contain:

(1) The name of the transferor;

(2) A description of the motor vehicle or trailer sufficient to identify it;

[(2)] (3) The vehicle identification number of the motor vehicle or trailer;

[(3)] (4) The name and address of the transferee;

[(4)] (5) The date of birth of the transferee, unless the transferee is not a natural person;

[(5)] (6) The date of the transfer or sale;

[(6)] (7) The purchase price of the motor vehicle or trailer, if applicable;

[(7)] (8) The number of the transferee's drivers license, unless the transferee does not have a drivers license;

[(8) The printed name and signature]

(9) The transferor's electronic signature if transmitted electronically or the signatures of the transferee and transferor if not submitted electronically. For the purposes of this section, "transmitted electronically" shall have the same meaning as an electronic signature as defined in section 432.205;

[(9)] (10) Any other information required by the department by rule.

2. A notice of sale substantially complying with the requirements of this section is effective even though it contains minor errors which are not materially misleading.

3. For purposes of giving notice under this section, if the transfer occurs by operation of law, the personal representative, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall be considered the transferor. Repossession by a creditor shall not be considered a transfer of ownership requiring such notice.

[3.] 4. The requirements of this section shall not apply to transfers when there is no complete change of ownership interest or upon award of ownership of a motor vehicle or trailer made by court order, or transfers of ownership of a motor vehicle or trailer to or between vehicle dealers, or transfers of ownership of a motor vehicle or trailer to an insurance company due to a theft or casualty loss, or transfers of beneficial ownership of a motor vehicle owned by a trust.

[4.] 5. Notification under this section is only required for transfers of ownership that would otherwise require registration and an application for certificate of title in this state under section 301.190, and is for informational purposes only and does not constitute an assignment or release of any interest in the vehicle.

[5.] 6. Retail sales made by licensed dealers including sales of new vehicles shall be reported pursuant to the provisions of section 301.280."; and

1 Further amend said bill, Page 13, Section 301.213, Line 129, by inserting immediately after said line
2 the following:

3
4 "301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the
5 purchaser shall forward to the director of revenue within ten days the certificate of ownership or
6 salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the
7 director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle.
8 On vehicles purchased during a year that is no more than six years after the manufacturer's model
9 year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title.
10 On vehicles purchased during a year that is more than six years after the manufacturer's model year
11 designation for such vehicle, then application for a salvage title shall be optional on the part of the
12 purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking
13 certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to
14 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of
15 the date sold for destruction and the name of the purchaser clearly shown on the face of the
16 certificate.

17 2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the purchaser
18 may forward to the director of revenue a properly completed application for a junking certificate as
19 well as the salvage certificate of title or certificate of ownership and the director shall issue a
20 negotiable junking certificate to the purchaser of the vehicle. The director may also issue a junking
21 certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the current
22 model year who has a bill of sale for said vehicle but does not possess a certificate of ownership,
23 provided no claim of theft has been made on the vehicle and the highway patrol has by letter stated
24 the vehicle is not listed as stolen after checking the registration number through its nationwide
25 computer system. Such junking certificate may be granted within thirty days of the submission of a
26 request. A junking certificate shall authorize the holder to possess, transport, or, by assignment,
27 transfer ownership in such parts, scrap, or junk.

28 3. [Upon receipt of a properly completed application for a junking certificate, the director of
29 revenue shall issue to the applicant a junking certificate which shall authorize the holder to possess,
30 transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a certificate of title
31 shall not again be issued for such vehicle; except that, the initial purchaser] For any vehicle issued a
32 junking certificate or such similar document or classification pursuant to the laws of another state,
33 regardless of whether such designation has been subsequently changed by law in any other state, the
34 department shall only issue a junking certificate, and a salvage certificate of title or original
35 certificate of ownership shall not thereafter be issued for such vehicle. Notwithstanding the
36 provisions of this subsection, if the vehicle has not previously been classified as a "junk" vehicle, the
37 applicant making the original junking certification application shall, within ninety days, be allowed
38 to rescind his application for a junking certificate by surrendering the junking certificate and apply
39 for a salvage certificate of title in his name. The seller of a vehicle for which a junking certificate
40 has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale
41 of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

42 4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof without,
43 at the time of such acquisition, receiving the original certificate of [title] ownership or salvage
44 certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a
45 licensee under sections 301.219 to 301.221.

46 5. All titles and certificates required to be received by scrap metal operators from
47 nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the
48 receipt of the vehicle or parts.

1 6. The scrap metal operator shall keep a record, for three years, of the seller's name and
2 address, the salvage business license number of the licensee, date of purchase, and any vehicle or
3 parts identification numbers open for inspection as provided in section 301.225.

4 7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined in
5 section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may negotiate one
6 reassignment of a salvage certificate of title on the back thereof.

7 8. Notwithstanding the provisions of subsection 1 of this section, an insurance company
8 which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage
9 certificate of title without the payment of any fee upon proper application within thirty days after
10 settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of
11 a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the
12 vehicle would have otherwise been declared a salvage vehicle pursuant to subdivision (51) of section
13 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway
14 patrol, or other law enforcement agency authorized by the director of revenue, in accordance with
15 the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application,
16 applicable fee, the completed inspection, and the return of any previously issued negotiable salvage
17 certificate, the director shall issue an original title with no salvage or prior salvage designation.
18 Upon the issuance of an original title the director shall remove any indication of the negotiable
19 salvage title previously issued to the insurance company from the department's electronic records.

20 9. Notwithstanding subsection 4 of this section or any other provision of the law to the
21 contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a
22 motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may
23 purchase or acquire such motor vehicle or parts without receiving the original certificate of [title]
24 ownership, salvage certificate of title, or junking certificate from the seller of the vehicle or parts,
25 provided the scrap metal operator verifies with the department of revenue, via the department's
26 online record access, that the motor vehicle is not subject to any recorded security interest or lien and
27 the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding
28 certificates of [titles] title or ownership for such motor vehicles as required by subsection 5 of this
29 section, the scrap metal operator shall forward a copy of the seller's state identification along with a
30 bill of sale to the department of revenue. The bill of sale form shall be designed by the director and
31 such form shall include, but not be limited to, a certification that the motor vehicle is at least ten
32 model years old, is inoperable, is not subject to any recorded security interest or lien, and a
33 certification by the seller that the seller has the legal authority to sell or otherwise transfer the seller's
34 interest in the motor vehicle or parts. Upon receipt of the information required by this subsection,
35 the department of revenue shall cancel any certificate of title or ownership and registration for the
36 motor vehicle. If the motor vehicle is inoperable and at least twenty model years old, then the scrap
37 metal operator shall not be required to verify with the department of revenue whether the motor
38 vehicle is subject to any recorded security interests or liens. As used in this subsection, the term
39 "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively
40 damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best use
41 is for scrap purposes. The director of the department of revenue is directed to promulgate rules and
42 regulations to implement and administer the provisions of this section, including but not limited to,
43 the development of a uniform bill of sale. Any rule or portion of a rule, as that term is defined in
44 section 536.010, that is created under the authority delegated in this section shall become effective
45 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
46 section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with
47 the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove
48 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and

1 any rule proposed or adopted after August 28, 2012, shall be invalid and void.

2 301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to the
3 department of revenue, on blanks to be prescribed by the department of revenue, giving the
4 following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle
5 sold; the name and address of the buyer; the name of the manufacturer; year of manufacture; model
6 of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall also state
7 whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand. Each monthly
8 sales report filed by a motor vehicle dealer who collects sales tax under subsection 8 of section
9 144.070 shall also include the amount of state and local sales tax collected for each motor vehicle
10 sold if sales tax was due. The odometer reading is not required when reporting the sale of any motor
11 vehicle that is ten years old or older, any motor vehicle having a gross vehicle weight rating of more
12 than sixteen thousand pounds, new vehicles that are transferred on a manufacturer's statement of
13 origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or
14 trailers. The sale of all thirty-day temporary permits[, without exception,] shall be recorded in the
15 appropriate space on the dealer's monthly sales report [by recording the complete permit number
16 issued on the motor vehicle or trailer sale listed], unless the sale of the thirty-day temporary permit is
17 already recorded by electronic means as determined by the department. The monthly sales report
18 shall be completed in full and signed by an officer, partner, or owner of the dealership, and actually
19 received by the department of revenue on or before the fifteenth day of the month succeeding the
20 month for which the sales are being reported. If no sales occur in any given month, a report shall be
21 submitted for that month indicating no sales. Any vehicle dealer who fails to file a monthly report or
22 who fails to file a timely report shall be subject to disciplinary action as prescribed in section
23 301.562 or a penalty assessed by the director not to exceed three hundred dollars per violation.
24 Every motor vehicle and boat dealer shall retain copies of the monthly sales report as part of the
25 records to be maintained at the dealership location and shall hold them available for inspection by
26 appropriate law enforcement officials and officials of the department of revenue. Every vehicle
27 dealer selling twenty or more vehicles a month shall file the monthly sales report with the
28 department in an electronic format. Any dealer filing a monthly sales report in an electronic format
29 shall be exempt from filing the notice of transfer required by section 301.196. For any dealer not
30 filing electronically, the notice of transfer required by section 301.196 shall be submitted with the
31 monthly sales report as prescribed by the director.

32 2. Every dealer and every person operating a public garage shall keep a correct record of the
33 vehicle identification number, odometer setting, manufacturer's name of all motor vehicles or trailers
34 accepted by him for the purpose of sale, rental, storage, repair or repainting, together with the name
35 and address of the person delivering such motor vehicle or trailer to the dealer or public garage
36 keeper, and the person delivering such motor vehicle or trailer shall record such information in a file
37 kept by the dealer or garage keeper. The record shall be kept for five years and be open for
38 inspection by law enforcement officials, members or authorized or designated employees of the
39 Missouri highway patrol, and persons, agencies and officials designated by the director of revenue.

40 3. Every dealer and every person operating a public garage in which a motor vehicle remains
41 unclaimed for a period of fifteen days shall, within five days after the expiration of that period,
42 report the motor vehicle as unclaimed to the director of revenue. Such report shall be on a form
43 prescribed by the director of revenue. A motor vehicle left by its owner whose name and address are
44 known to the dealer or his employee or person operating a public garage or his employee is not
45 considered unclaimed. Any dealer or person operating a public garage who fails to report a motor
46 vehicle as unclaimed as herein required forfeits all claims and liens for its garaging, parking or
47 storing.

48 4. The director of revenue shall maintain appropriately indexed cumulative records of

1 unclaimed vehicles reported to the director. Such records shall be kept open to public inspection
2 during reasonable business hours.

3 5. The alteration or obliteration of the vehicle identification number on any such motor
4 vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public
5 garage shall upon the discovery of such obliteration or alteration immediately notify the highway
6 patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or garage
7 keeper has his place of business, and shall hold such motor vehicle or trailer for a period of
8 forty-eight hours for the purpose of an investigation by the officer so notified.

9 6. Any person who knowingly makes a false statement or omission of a material fact in a
10 monthly sales report to the department of revenue, as described in subsection 1 of this section, shall
11 be deemed guilty of a class A misdemeanor."; and
12

13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.